

PATENT COOPERATION TREATY

From the:
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

LESICAR PERRIN
49 Wright Street
ADELAIDE SA 5000

PCT

WRITTEN OPINION
(PCT Rule 66)Date of mailing
(day/month/year)

09 JUL 2004

Applicant's or agent's file reference
11717PCT

REPLY DUE

within TWO MONTHS
from the above date of mailing

International Application No.

PCT/AU2003/001406

International Filing Date (day/month/year)

22 October 2003

Priority Date (day/month/year)

23 October 2002

International Patent Classification (IPC) or both national classification and IPC

Int. Cl. ⁷ B44D 3/00, B08B 3/02

Applicant

DOMINEY, Peter, John

1. This written opinion is the **first** drawn by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

3. The **FINAL DATE** by which the international preliminary examination report must be established according to Rule 69.2 is:
23 February 2005

4. The applicant is hereby invited to reply to this opinion

When? See the **Reply Due** date indicated above. However, the Australian Patent Office will not establish the Report before the earlier of (i) a response being filed, or (ii) one month before the **Final Date** by which the international preliminary examination report must be established. The Report will take into account any response (including amendments) filed before the Report is established. If no response is filed by 1 month before the **Final Date**, the international preliminary examination report will be established on the basis of this opinion.

Applicants wishing to have the benefit of a further opinion (if needed) before the report is established should ensure that a response is filed at least 3 months before the **Final Date** by which the international preliminary examination report must be established.

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis.
For an informal communication with the examiner, see Rule 66.6.

Name and mailing address of the IPEA/AU

AUSTRALIAN PATENT OFFICE
PO BOX 200, WOODEN ACT 2600, AUSTRALIA
E-mail address: pct@ipaustralia.gov.au
Facsimile No. (02) 6285 3929

Authorized Officer

M.S. HAYNES

Telephone No. (02) 6283 2170

I. Basis of the opinion

1. With regard to the elements of the international application *

- ☒ the international application as originally filed.
- ☐ the description, pages . as originally filed
 pages . filed with the demand,
 pages . received on with the letter of
- ☐ the claims, pages . as originally filed,
 pages . as amended under Article 19,
 pages . filed with the demand,
 pages . received on with the letter of
- ☐ the drawings, pages . as originally filed
 pages . filed with the demand,
 pages . received on with the letter of
- ☐ the sequence listing part of the description
 pages . as originally filed
 pages . filed with the demand
 pages . received on with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language, which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing

- ☐ contained in the international application in printed form
- ☐ filed together with the international application in computer readable form
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos
- ☐ the drawings, sheets/fig

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|-------------|-----|
| Novelty (N) | Claims 1-11 | YES |
| | Claims | NO |
| Inventive step (IS) | Claims | YES |
| | Claims 1-11 | NO |
| Industrial applicability (IA) | Claims 1-11 | YES |
| | Claims | NO |

2. Citations and explanations

NOVELTY (N) & INVENTIVE STEP (IS)

The following documents were considered for the purposes of this report.

- (i) US 4836702
- (ii) US 6280531
- (iii) US 4765354
- (iv) WO 1993024337
- (v) GB 2311210
- (vi) GB 2353464
- (vii) GB 2318280
- (viii) US 6019111

NOVELTY (N) & INVENTIVE STEP (IS) Claims 1-11

The invention defined by the claims is a paint roller cleaner which comprises a housing being a close fit around a paint roller, the cleaner also including an opening whereby excess paint from is collected in a first cleaning action, the cleaner also including a locking means to lock the paint roller in place whereby cleaning fluid under pressure is applied to the paint roller in a second cleaning action.

None of the citations listed above individually disclose the invention defined in Claims 1-11.

However when citation (iii) is combined with citation (ii) as would be obvious to a person skilled in the art, would disclose all the features of the claims 1-11

See for examples the figures of citation (iii) and figures 1 and 2 of citation (iii).

In addition when citation (iii) is combined with citation (i) as would be obvious to a person skilled in the art, would disclose all of the features of the claims 1-11

See for example figures 1 and 2 of citation (iii) and paragraph 3 lines 63-68 of citation (i).

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claim 9 is not clear because it seems "scrapper" on line 2 should be scraper.